

## ANTaR VICTORIA INC.

### RULES OF ASSOCIATION (following AGM 5/11/05)

#### PREAMBLE

ANTaR Victoria Inc acknowledges that at the time of European invasion the totality of lands now known as Victoria were occupied by sovereign Indigenous nations who owned, cared for and enjoyed them in accordance with their laws, customs and traditions. The Indigenous nations' sovereignty as well as their peoples' right of ownership, occupation, use and enjoyment of lands have not been ceded.

The impact of invasion forced drastic changes on Indigenous peoples, including where and how they lived, their languages, religion, health, economic status, freedom of movement and association, and in some cases their very survival.

We acknowledge all Indigenous peoples in Victoria today, including the original language groups as well as all clans, family groups and land owning groups; as well as their rights to their lands, self determination and control over their culture and traditions.



This is a Victorian Aboriginal Corporation for Languages map (produced in 1996). This map is not suitable for Native Title Claims.

NB: The English spelling of language group names varies throughout Victorian communities depending on oral knowledge and beliefs.”

## NAME AND SUMMARY OF PURPOSES

- 1(1) The name of the Incorporated Association is **ANTaR Victoria** (in these Rules “the Association”).
- (2) The purposes of the Association are to educate and promote awareness of Australian indigenous issues by, without limitation -
  - (a) providing speaking programs by suitably trained speakers at schools and community organisations to explain and discuss indigenous issues;
  - (b) training speakers and preparing manuals and materials to assist speakers in keeping up-to-date on indigenous issues; and
  - (c) educating the community and raising awareness of indigenous issues by encouraging the speakers to engage with the media and the public debate on indigenous issues.

## INTERPRETATION

- 2(1) In these Rules, unless the contrary intention appears-
  - "affiliated organisation"** means a non-government organisation, community group or faith group which has joined as an 'affiliated organisation' as required under the section 'Application for membership', 3(1)A.
  - "Committee"** means the Committee of Management of the Association;
  - "financial year"** means the year ending on 30 June;
  - "general meeting"** means a general meeting of members convened in accordance with Rule 11;
  - "member"** means a member of the Association;
  - "dual membership"** means two individual members living at the same address and who have indicated when applying for membership or renewing that they are willing to share newsletters and notices;
  - "ordinary member of the Committee"** means a member of the Committee who is not an officer of the Association under Rule 21;
  - "the Act"** means the **Associations Incorporations Act 1981**;
  - "the Regulations"** means Regulations under the Act; and
  - "waged"** includes self-employed or business income received by members who have not retired.
- (2) In these Rules, a reference to the Secretary of the Association is a reference – where a person holds office under these Rules as Secretary of the Association – to that person; and in any other case, to the Public Officer of the Association.
- (3) Words or expressions contained in these Rules shall be interpreted in accordance with the **Interpretation of Legislation Act 1984** and the Act as in force from time to time.

## APPLICATION FOR MEMBERSHIP

- 3(1) A natural person who is nominated and approved for membership as provided in these Rules is eligible to be a member of the Association on payment of the entrance fee and annual subscription payable under these Rules
- 3(1)A A non-government organisation, community group or faith group may become an 'affiliated organisation' by making an application as required in this section for a 'natural person'.
- (2) A person or affiliated organisation who is not a member of the Association at the time of the incorporation of the Association (or who was a member at that time but has ceased to be a member) shall not be admitted to membership –
- (a) unless nominated as provided in sub-clause (3); and
  - (b) the admission of the member or affiliated organisation is approved by the committee.
- (3) A nomination of a person or affiliated organisation for membership of the Association –
- (a) shall be made in writing in the form set out in Appendix 1; and
  - (b) shall be lodged with the Secretary of the Association.
- (4) As soon as is practicable after the receipt of a nomination, the Secretary shall refer the nomination to the Committee.
- (5) Upon a nomination being referred to the Committee, the Committee shall decide whether to approve or to reject the nomination.
- (6) Upon nomination being approved by the Committee, the Secretary shall, with as little delay as possible, notify the nominee in writing of the approval for membership of the Association and request payment within the period of 28 days after receipt of the notification of the sum payable under these Rules as the entrance fee and the first year's annual subscription
- (7) The Secretary shall, upon payment of the amounts referred to in sub-clause (6) within the period referred to in that sub-clause, enter the nominee's name in the register of members or affiliated organisations, and, upon the name being so entered, the nominee becomes a member or affiliated organisation of the Association.
- (8) A right, privilege, or obligation of a person by reason of membership of the Association -
- (a) is not capable of being transferred or transmitted to another person; and
  - (b) terminates upon the cessation of membership whether by death or resignation or otherwise.
- (9) An affiliated organisation may exercise all rights, privileges or obligations of an individual member and may appoint from time to time a representative for that purpose.

## ENTRANCE FEE AND ANNUAL SUBSCRIPTION

- 4 (1) The annual membership subscription shall be set from time to time by resolution of the Association and is payable in advance on the date of joining or renewing.
- (2) Different rates will be set for waged and unwaged individual members, and also for dual membership with varying rates where both or neither of the members is waged.
- (3) The annual subscription of an affiliated organisation shall be determined by the affiliated organisation within a range which is set from time to time by resolution of the Association. This range takes into account financial capacity, membership and geographical coverage and is payable in advance on the date of joining or renewing.

## REGISTER OF MEMBERS

- 5 The Secretary shall keep and maintain a register of members or affiliated organisations in which shall be entered the full name, address, and date of entry of the name of each member or affiliated organisation and the register shall be available for inspection and copying by members or affiliated organisations on request.

5A A community group may become registered as an "ANTaR Victoria Group" provided the group:

- (a) is pursuing activities in keeping with the purposes and objectives of ANTaR Victoria;
- (b) is interested in participating in the activities of the ANTaR Victoria network and to share information on its own initiatives and to benefit from the information and resources available to groups in the ANTaR Victoria network;
- (c) includes "ANTaR Victoria " in its name or acknowledges on its letterhead and in its notices and publications that it is a member of the ANTaR Victoria network;
- (d) informs the ANTaR Victoria office at the very least of all public functions for which it requires public liability insurance cover;
- (e) encourages its members to join ANTaR Victoria as individual members with the aim that approximately half or more of its members become financial members of ANTaR Victoria;
- (f) makes a written application to the Secretary of ANTaR Victoria to be registered as a member of the ANTaR Victoria network, advising agreement with the criteria of membership listed above.
- (g) receives written advice from the Secretary of ANTaR Victoria that the application of the group has been approved by the Coordinating Committee of ANTaR Victoria and that the group has been registered as a member of the network.

## RESIGNATION AND EXPULSION OF MEMBERS

- 6(1) A member or affiliated organisation of the Association who has paid all moneys due and payable by the member or affiliated organisation to the Association may resign from the Association by first giving one months notice in writing to the Secretary of his or her intention to resign and upon the expiration of that period of notice, the member or affiliated organisation ceases to be a member or affiliated organisation.
- (2) Upon expiration of a notice given under sub-clause (1), the Secretary shall make in the register of members or affiliated organisations an entry recording the date on which the member or affiliated organisation by whom the notice was given, ceased to be a member or affiliated organisation.
- 7(1) Subject to these Rules, the Committee may by resolution –
- (a) expel a member or affiliated organisation from the Association; or
  - (b) suspend a member or affiliated organisation from membership of the Association for a specified period; or
  - (c) fine a member or affiliated organisation for an amount not exceeding \$20. if the Committee is of the opinion that the member or affiliated organisation –
    - (i) has refused or neglected to comply with these Rules; or
    - (ii) has been guilty of conduct unbecoming a member or affiliated organisation or prejudicial to the interests of the Association.
- (2) A resolution of the Committee under sub-clause (1) –
- (a) does not take into effect unless the Committee, at a meeting held not earlier than 14 and not later than 28 days after the service on the member or affiliated organisation of a notice under sub-clause (3) confirms the resolution in accordance with this clause; and
  - (b) where the member or affiliated organisation exercises a right of appeal to the Association under this clause, does not take effect unless the Association confirms the resolution in accordance with this clause.
- (3) If the Committee passes a resolution under sub-clause (1), the Secretary shall, as soon as practicable, cause to be served on the member or affiliated organisation a notice in writing –
- (a) setting out the resolution of the Committee and the grounds on which it is based;
  - (b) stating that the member or affiliated organisation may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
  - (c) stating the date, place and time of that meeting;
  - (d) informing the member or affiliated organisation that he or she may do one or more of the following -
    - (i) attend that meeting;
    - (ii) give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution; and
    - (iii) not later than 24 hours before the date of the meeting lodge with the Secretary that he or she wishes to appeal to the Association in general meeting against the Resolution.
- (4) At a meeting of the Committee held in accordance with sub-clause (2), the Committee –
- (a) shall give to the member or affiliated organisation an opportunity to be heard;

- (b) shall give due consideration to any written statement submitted by the member or affiliated organisation, and;
  - (c) shall by resolution determine whether to confirm or revoke the resolution.
- (5) If the Secretary receives a notice under sub-clause (3) he or she shall notify the Committee and the Committee shall convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.
- (6) At a general meeting of the Association convened under sub-clause (5) -
- (a) no business other than the question of the appeal shall be transacted;
  - (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
  - (c) the member or affiliated organisation shall be given an opportunity to be heard; and
  - (d) the members or affiliated organisations present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (7) If at the general meeting –
- (a) two thirds of the members or affiliated organisations vote in person or by proxy in favour of the confirmation of the resolution, the resolution is confirmed; and
  - (b) in any other case, the resolution is revoked.

#### ANNUAL GENERAL MEETING

- 8(1) The Association shall in each calendar year convene an annual general meeting of its members.
- (2) The annual general meeting shall be held on such day as the Committee determines.
- (3) The annual general meeting shall be specified as such in the notice convening it.
- (4) The ordinary business of the annual general meeting shall be –
- (a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting
  - (b) to receive from the Committee reports upon the transactions of the Association during the last preceding financial year:
  - (c) to elect officers of the Association and the ordinary members of the Committee; and
  - (d) to receive and consider the statement submitted by the Association in accordance with section 30 (3) of the Act.
- (5) The annual general meeting may transact special business of which notice is given in accordance with these rules.
- (6) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

#### SPECIAL GENERAL MEETING

- 9 All general meetings other than the annual general meeting shall be called special general meetings.

- 10(1) The Committee may, whenever it thinks fit, convene a special general meeting of the Association and, where, but for this sub-clause, more than 15 months would elapse between annual general meetings, shall convene a special general meeting before the expiration of that period.
- (2) The Committee shall, on the requisition in writing of members representing not less than 5 per cent of the total members or affiliated organisations, convene a special general meeting of the Association.
- (3) The requisition for a special general meeting shall state the objects of the meeting and shall be signed by the members or affiliated organisations making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the members or affiliated organisations making the requisition.
- (4) If the Committee does not cause a special general meeting to be held within a month after the date on which the requisition is sent to the address of the Secretary, the members or affiliated organisations making the requisition, or any of them, may convene a special general meeting to be held not later than three months after that date.
- (5) A special general meeting convened by members or affiliated organisations in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the committee and, all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring the expenses.

#### NOTICE OF MEETING

- 11(1) The Secretary of the Association shall, at least 14 days before the date fixed for holding the general meeting of the Association, cause to be sent to each member or affiliated organisation of the Association at the address appearing in the register of members or affiliated organisations, a notice by pre-paid post stating the place, date and time of the meeting and the business to be transacted at the meeting.
- (2) No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- (3) A member or affiliated organisation desiring to bring any business before a meeting may give notice of that meeting in writing to the Secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.

#### PROCEEDINGS AT MEETINGS

- 12(1) All business that is transacted at a special general meeting and all business that is transacted at the annual general meeting with the exception of that specially referred to in these Rules as being ordinary business of the annual general meeting shall be deemed to be special business.
- (2) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these Rules to vote is present during the time when the meeting is considering that item.

- (3) Five members or affiliated organisations personally present (being members or affiliated organisations entitled under these Rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
  - (4) If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present, the meeting if convened upon the requisition of members or affiliated organisations shall be dissolved and in any other case shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members or affiliated organisations given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members or affiliated organisations present (being not less than 3) shall be a quorum.
- 13(1) The Chairperson shall preside at each general meeting of the Association.
- (2) If the Chairperson is absent from a general meeting, the members or affiliated organisations present shall elect one of their number to preside as Chairperson at the meeting.
- 14(1) The Chairperson of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than business left unfinished at the meeting at which the adjournment took place.
- (2) Where a meeting is adjourned for fourteen days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.
  - (3) Except as provided in sub-clause (1) and (2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.
- 15 A question arising at a general meeting of the Association shall be determined on a show of hands and unless, before or on the show of hands a poll is demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously, or carried by a particular majority or lost, and an entry to that effect in the Minute Book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.
- 16(1) Upon any question arising at a general meeting of the Association, a member or affiliated organisation has one vote only.
- (2) All votes shall be given personally or by proxy.
  - (3) In the case of any equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- 17(1) If at a meeting a poll on any question is demanded by not less than three members or affiliated organisations, it shall be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be the resolution of the meeting on that question.

- (2) A poll that is demanded on the election of the Chairperson or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any question shall be taken at such time before the close of the meeting as the Chairperson may direct.
- 18 A member or affiliated organisation is not entitled to vote at any general meeting unless all moneys due and payable by the members or affiliated organisations to the Association have been paid, including the amount of the annual subscription payable in respect of the current financial year.
- 19(1) Each member or affiliated organisation is entitled to appoint another member as proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy shall be in the form set out in Appendix 2.

#### COMMITTEE OF MANAGEMENT

- 20(1) The rules of the Association shall be managed by the Committee of Management constituted as provided in Rule 22.
- (2) The Committee -
- (a) shall control and manage the business and affairs of the Association;
  - (b) may, subject to these Rules, the Regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Association;
  - (c) subject to these Rules, the regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association; and
  - (d) may by resolution delegate any of its powers or functions to a sub-committee, officer or employee of the Association, except this power of delegation.
- 21(1) The officers of the Association shall be -
- (a) a Chairperson
  - (b) a Treasurer
  - (c) a Secretary; and
  - (d) a Public Officer.
- (2) The provisions of Rule 23 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause (1).
- (3) Each officer of the Association shall hold office until the annual general meeting next after the date of his or her election but is eligible for re-election.
- (4) In the event of a casual vacancy in any office referred to in sub-clause (1) the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment.
- 22(1) Subject to section 23 of the Act, the Committee shall consist of-
- (a) the officers of the Association; and

- (b) six ordinary members - each of whom shall be elected at the annual general meeting of the Association in each year.
- (2) Each ordinary member of the Committee shall, subject to these Rules, hold office until the annual general meeting next after the date of election but is eligible for re-election.
- (3) In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of appointment.

#### ELECTION OF OFFICERS AND VACANCY

- 23(1) Nominations of candidates for election as officers of the Association or as ordinary members of the Committee-
  - (a) shall be made in writing, signed by two members or affiliated organisations of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
  - (b) shall be delivered to the Secretary of the Association not less than seven days before the date fixed for the holding of the annual general meeting.
- (2) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- (3) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (4) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- (5) The ballot for the election of officers and ordinary members of the Committee shall be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.
- (6) A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for another office for election at the same election.
- 24 For the purpose of these Rules, the office of an officer of the Association or of an ordinary member of the Committee becomes vacant if the officer or member-
  - (a) ceases to be a member of the Association;
  - (b) becomes insolvent under administration within the meaning of the Companies (Victoria) Code; or
  - (c) resigns from office by notice in writing given to the Secretary.

#### PROCEEDINGS OF THE COMMITTEE

- 25(1) The Committee shall meet at least 3 times in each year at such place and such times as the Committee may determine.
- (2) Special meetings of the Committee may be convened by the Chairperson or by any four of the members of the Committee.

- (3) Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
- (4) Any four members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- (5) No business shall be transacted unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting shall stand adjourned to the same place and the same hour of the same day of the following meeting unless the meeting was a special meeting in which case it lapses.
- (6) At meetings of the Committee-
  - (a) the Chairperson shall preside; or
  - (b) if the Chairperson is absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.
- (7) Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be appointed by a show of hands or, if demanded by a member, a poll taken in such a manner as the person presiding at the meeting may determine.
- (8) Each member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote, and in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (9) Written notice of each Committee meeting shall be served on each member of the Committee by delivering it to the member at a reasonable time before the meeting or by sending it by pre-paid post addressed to him or her at his or her usual or last know place or abode at least two business days before the date of the meeting.
- (10) Subject to sub-clause (4) the Committee may act notwithstanding any vacancy on the Committee.

#### SECRETARY

- 26 The Secretary of the Association shall keep the minutes of the resolutions and proceedings of each general meeting and each committee meeting in books provided for that purpose together with a record of the names of persons present at Committee meetings.

#### TREASURER

- 27 The Treasurer of the Association -
  - (a) shall collect and receive all moneys due to the Association and make all payments authorised by the Association; and
  - (b) shall keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the organisation.

## REMOVAL OF MEMBER OF COMMITTEE

- 28(1) The Association in general meeting may by resolution remove any member of the Committee before the expiration of the member's term of office and appoint another member in his or her stead to hold office until the expiration of the term of the first-mentioned member.
- (2) Where the member to whom a proposed resolution referred to in sub-clause (1) makes representations in writing to the Secretary of the Association (not exceeding a reasonable length), and requests that they be notified to the members of the Association, the Secretary may send a copy of the representations to each member of the Association or, if they are not so sent, the member may require that they be read out at the meeting.

## CHEQUES

- 29 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two members of the Committee

## SEAL

- 30(1) The Common Seal of the Association shall be kept in the custody of the Secretary.
- (2) The Common Seal shall not be affixed to any instrument except by the authority of the Committee and affixing of the Common Seal shall be attested by the signatures either of two members of the Committee or of one member of the Committee and of the Public Office of the Association.

## ALTERATION OF RULES AND STATEMENT OF PURPOSES

- 31 These Rules and the Statement of Purposes of the Association shall not be altered except in accordance with the Act.

## NOTICES

- 32(1) A notice may be served by or on behalf of the Association upon any member or affiliated organisation either personally or by sending it by post to the member or affiliated organisation at the address shown on the Register of Members or affiliated organisations.
- (2) Where a document is properly addressed pre-paid and posted to a person or affiliated organisation as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person or affiliated organisation at the time at which the letter would have been delivered in the ordinary course of post.

## USE OF INCOME AND PROPERTY AND DISPOSAL OF ASSETS

- 33(1) Use of income and property
- (a) Subject to rule 33(1)(b), the income and property of the Association must be used and applied solely in promoting its purposes and exercising its powers as set out in these rules. No part of the income or property of the Association may be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or among the Members or affiliated organisations.

- (b) Rule 33(1)(a) does not prevent the payment in good faith of -
- (i) interest to a Member or affiliated organisations on money advanced by the member or affiliated organisation to the Association or otherwise owing by the Association to the member or affiliated organisation;
  - (ii) reasonable and proper charges for goods hired by the Association from a Member;
  - (iii) remuneration to any officer or employee of the Association or to a Member or affiliated organisation or other person in return for any services actually rendered to the Association; or
  - (iv) money representing reimbursement to a Member or affiliated organisation of out of pocket expenses incurred by the Member or affiliated organisation,
- to which the Member or affiliated organisation would be entitled if he, she or it were not a Member or affiliated organisation.

(2) Disposal of Assets

- (a) If on the dissolution of the Association and satisfaction of all its debts and liabilities any money or property remains, that money or property must not be paid to or distributed among the Members or affiliated organisations, but must be given or transferred to one or more institutions which -
- (i) is or are charitable at law
  - (ii) prohibits or prohibit the distribution of income and property among its members to an extent at least as great as is imposed on the Association; and
  - (iii) has or have similar purpose or purposes.
- (b) The institutions referred to in rule 33(2)(a) are to be decided by the Committee at or before the time of the dissolution.

## CUSTODY OF RECORDS

- 34(1) Except as otherwise provided in these Rules, the Secretary shall keep in his or her custody or under his or her control all books, documents and securities of the Association.
- (2) All accounts, books, documents and securities of the Association shall be available for inspection and copying by any member of the Association upon request.

## FUNDS

- 35 The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determines.

## DISPUTES AND MEDIATION

- 36(1) The grievance procedure set out in this rule applies to disputes under these Rules between-
- (a) a member or affiliated organisation and another member or affiliated organisation ; or
  - (b) a member or affiliated organisation and the Association.

- (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (4) The mediator must be -
  - (a) a person chosen by agreement between the parties; or
  - (b) in the absence of agreement -
    - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
    - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre or Victoria (Department of Justice).
- (5) A member of the Association can be a mediator.
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must -
  - (a) give the parties to the mediation process every opportunity to be heard; and
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law

*Appendix One*

APPLICATION FOR MEMBERSHIP OF ANTaR Victoria

I, ..... of .....  
*(name and occupation)* *(address)*

desire to become a member of Australians for Native Title and Reconciliation Victoria Inc. (ANTaR Victoria).

In the event of my admission as a member, I agree to be bound by the Rules of the Association for the time being in force.

.....  
*(Signature of applicant)*

.....  
*(Date)*

*Appendix two*

Form of appointment of Proxy

I, .....  
of .....

being a member of ANTaR Victoria

appoint .....  
of .....

being a member of that Incorporated Association, as my proxy to vote for me on my behalf at the general meeting of the Association (annual general meeting or special general meeting, as the

case may be, to be held on ..... and at any adjournment of that meeting.

My proxy is authorised to vote in favour of/ against (delete as appropriate) the resolution (insert details)

.....  
*(Signed)*

.....  
*(Date)*